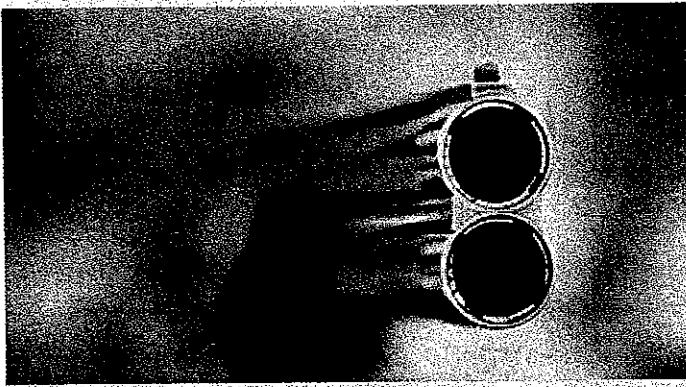


## TRENDS AND TRANSITIONS



### A NEW WAVE OF GUN LAWS

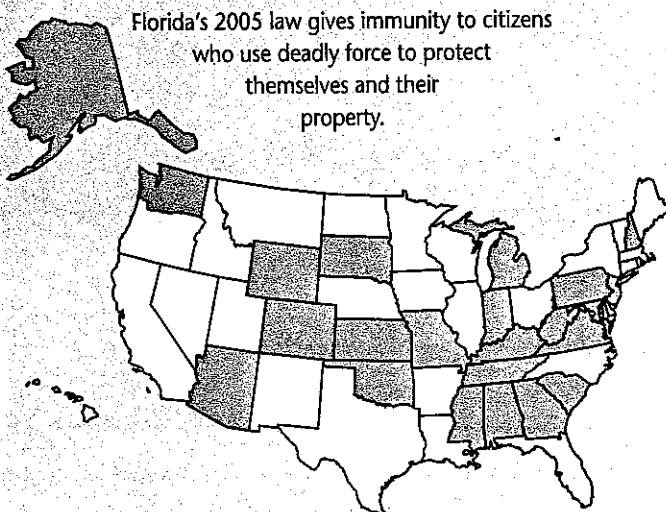
People should be allowed to use deadly force to protect themselves and their property—home, vehicle, boat—without fear of prosecution. Or should they? Florida thinks they should. It passed S.B. 436 last fall, and several states have introduced similar legislation this year.

Under these bills there is no longer a duty to retreat from danger as required now in most laws. A person could use any manner of force, including deadly force, against someone he or she fears will cause death or bodily harm. The legislation also provides immunity from civil suits and criminal prosecution for shooters who reasonably believed the use of deadly force was necessary.

Opponents of the legislation maintain that it is an invitation to reckless use of firearms in the streets, and because it eliminates a citizen's duty to avoid the threat, lethal force becomes a first choice rather than other options.

Both proponents and challengers agree to disagree on the terminology of the legislation; backers call the bills "stand your ground," "castle doctrines" and "no retreat" measures, while opponents deem them "shoot first" and "deadly force" actions. Regardless of whichever moniker is used, the legislation has become a heated issue within state legislatures.

### STATES LOOKING AT PROTECTION LAWS SIMILAR TO FLORIDA



## FEAR NOT YOUR TELEPHONE



In response to increasing consumer frustration with unwanted telemarketing calls, Congress and the states have passed do-not-call laws. They establish and fund databases that contain the telephone numbers of citizens who elect not to receive telephone solicitations. The National Do-Not-Call Registry covers both traditional and wireless telephones. Consumers can add their numbers to the national list either online at [www.donotcall.gov](http://www.donotcall.gov) or by calling (888) 382-1222 from the telephone number they wish to register. More than 40 states as well have laws that establish state-run databases.

Since 2003, more than 106 million phone numbers have been registered on the national list. A recent Harris Interactive poll found that 92 percent of those signed up get fewer calls and 25 percent no calls at all. However, the reality is that entering one's telephone number on the national registry will not stop all unwanted calls. Charities, political fundraisers, organizations conducting surveys, those calling on behalf of tax exempt organizations and those calling under an "established business relationship" or with the con-

sumer's written permission are exempt.

State lawmakers have been regulating telemarketing firms since the 1980s and the federal government since the 1990s. More than 30 states have general telemarketing regulation acts requiring a telemarketing company to be bonded or licensed.

Florida was the first state to pass a law that provides penalties to those who make calls to telephone numbers on the state do-not-call registry. Its primary intent was to protect the elderly. Indiana's law is one of the strictest in the nation. It bans almost all telemarketing calls. Indiana Attorney General Stephen Carter has aggressively prosecuted companies that call the more than 1 million people on the do-not-call list.

